

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

RECEIVED UNITED STATES DISTRICT COURT

JUL 14 2023

for the

District of Nebraska

CLERK
U.S. DISTRICT COURT
LINCOLN

Division

Welch Raefing LLC
Brendan Welch

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Double aa Shitshow
David Wright

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

4:23cv3129

(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☒ Yes☐ No

2023 JUL 14 PM 3:30

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA**COMPLAINT FOR VIOLATION OF CIVIL RIGHTS**

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Brendan Welch
 403 N Galway St
 Greeley NE 68842
City State Zip Code
 Greeley

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Double 00 Shitshow
 owner/social media Influencer
 sales
 17000 El Camino Real Ste 210B
 Houston TX 77058
City State Zip Code
 Harris County
 281 984 7387
 double 00 shitshow

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

David Wright
 owner
 157 Pin Oak Drive/Circle
 Van Vleck TX 77482
City State Zip Code
 Matagorda

double 00shitshow@gmail.com
☒ Individual capacity ☐ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐ Individual capacity☐ Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐ Individual capacity☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☐ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Texas agencies have not done anything to help or stop the crimes, considering holding them liable for Conspiracy against Rights under 18 USC 241, as well as filing against

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

David Wright

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

David Wright knowingly and deliberately acted under Texas and Nebraska law, violating multiple state and federal laws including but not limited to Texas Penal Code 42.07; Texas Penal Code 33.07; etc.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

originally originating in Texas, Houston and Van Vleck; carrying over to Iowa and Nebraska across state lines.

- B. What date and approximate time did the events giving rise to your claim(s) occur?

~~March 26th, 2023~~ May 26th, 2023 - Present Day. 6 weeks of torment / harassment

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

put in false light; severely stalked and harassed; maliciously attacked; defamed; deprived of my rights; called by phone, email contact, social media and in person stalking, harassment, fraud/forgery and impersonation. David and his accomplices did all the above. I have friends and associates that will serve as witnesses for testimony.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Infliction of Emotional Distress; pain and suffering; Irrevocable and Irreparable damage to my reputation; honor and business. Psychological harassment as well.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Enact Restitution and other Injunctions such as Cease and Desist order or No Contact order. Protecting me and my Business from further harm and damages both at the state level and Federal level. Arrest David and others for Infringement if possible as well as the Fraud. \$85,000 of Damages/Loss before Court Costs and attorney fees. Basis is David had no permission to steal, use or distribute my work and content; Intentionally harasses me and has Inflicted Emotional Distress Intentionally and Reasonable fear for the Safety of me, my family and Properties

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.


A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 7/14/2023

Signature of Plaintiff

Printed Name of Plaintiff


Brendan Weirch

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address